



SINOCHEM JIANGSU CORPORATION

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Via Federal Express

CASE No. 07 CIV 5861

2007-7-19

Honorable Judge Berman

The United District Court for South New York

MEMO ENDORSED
P2

RE: LETTER OF POSITION for CASE No. 07 CIV 5861

Dear Judge Berman:

Reference is made to the E-mail we received dated July 9, 2007, wherein the New York lawyer representing a Israel company of Zim Integrated Shipping Service Co., which is entirely unknown to us, attempted to notify/propose a July 27 2007 pre-hearing at New York.

Sinochem Jiangsu Corporation is a state-owned company in Nanjing, People's Republic of China. We declare to this esteemed court that:

1. We have no knowledge nor any involvement of the alleged transaction and the alleged accident resulted.
2. We have no knowledge nor any business with the Zim Integrated Shipping Service Co. of Israel.
3. We have no knowledge nor any relationship nor any transaction with the alleged company of Nanjing Huabin. The plaintiff is in strict duty and burden to prove the alleged "hiring" transaction with this unknown company.
4. We have no knowledge of an alleged document attempting to connect this company with the alleged accident (Purchase Order BI.9769 of Belco Resources, Inc., claimed having sent to this company).
5. Further, the alleged Purchase Order BI.9769 of Belco Resources, Inc, is a prima facie forgery or/and having nothing to do with this company. Among others, the alleged purchase order is stated to Sinochem Jiangsu Im & Export Company., rather than Sinochem Jiangsu Corporation, and we noted that the date of Purchase order was 1/4/06.
6. Further, regarding the above undue and unknown surprising and commercial crime conspiring scheme against this state-owned company, a criminal investigation and prosecution is launched in the jurisdiction of Nanjing, People's Republic of China.
7. Jurisdiction:





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Regardless and without prejudice to our position as a non-party, it is observed that from the supplied documents by plaintiff through E-mail, that the New York court is not a venue of agreement for this litigation, wherein the goods are neither originated nor destined to the United States.

8. We believe all those prima facie defaults and discrepancies, make it undisputable that there is not a substantial case against this company, or to attach this company in.

Therefore, Sinochem Jiangsu Corporation respectfully requests that:

- a) There is no prima facie evidence nor any fact, to show that this company is a party in whatever capacity or connection to the alleged fire and export, and therefore there is not a substantial case existing against Sinochem Jiangsu Corporation. The Rule B attachment against this company is wrongful and should be released immediately.
- b) Regardless and without prejudice to our position as a non-party, we are in process of contracting licensed attorney for representation. Contacts/notification shall be conducted as the authorization completed.
- c) Regardless and without prejudice to our position as a non-party, the proposed pre-trial date of July 27, 2007 is impossible for party's from P. R. China. Among other reasons, the government permission and business visa for leaving China for attending to New York court hearing, shall require longer time than the July 27, 2007.

Therefore, the schedules should be discussed after our representing attorneys are finalized and in contacting with the court. This should be concluded in a couple of week.

Sincerely

Gu Linmin (General Manager)

Sinochem Jiangsu Corporation

<p><i>The conference will proceed as scheduled on 7/27/07 @ 9:30. All corporate + individual parties must be present or represented by local counsel. See FRCP 1 + 11.</i></p>	
<p>SO ORDERED: Date: <u>7/24/07</u></p>	<p><i>Richard M. Berman</i> Richard M. Berman, U.S.D.J.</p>

